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Docket No.: 2121-0191PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jérôme BERNARD et al.

Application No.: 10/590,734

Confirmation No.: 1220

Filed: August 25, 2006

Art Unit: 1644

For: IL-15 BINDING SITE FOR IL 15-RALPHA
AND SPECIFIC IL-15 MUTANTS HAVING
AGONISTS/ANTAGONISTS ACTIVITY

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION BUT BEFORE FINAL
REJECTION OR NOTICE OF ALLOWANCE OR CONCURRENTLY WITH A RULE
1.114 RCE APPLICATION)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-SB08(s), attached hereto.

II. COPIES

- ☒ a. Copies of cited U.S. patents and patent application publications are not included.
Copies of foreign patent documents and non-patent literature are included.

☐ b. Some or all of the documents listed on the PTO-SB08 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

☐ c. REFERENCES PREVIOUSLY CITED OR SUBMITTED - Pursuant to 37 C.F.R. §1.98(d), consideration of information listed on the PTO-SB08 form(s) is requested since any patents, publications, or other information which are listed on the PTO-SB08 form(s) but for which copies are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Appl. No(s) and U.S. Filing Date

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

☒ a. DOCUMENTS IN THE ENGLISH LANGUAGE - The patents, publications, or other information listed on the attached PTO SB08 are in the English language and therefore, do not require a statement of relevancy.

☐ b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE - A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

☒ c. ENGLISH LANGUAGE SEARCH REPORT - An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

☐ d. OTHER - The following additional information is provided for the Examiner's consideration.

IV. FEES (check one box)

☐ a. This Information Disclosure Statement is being filed concurrently with the filing of a new patent application; therefore, no fee is required.

☐ b. This Information Disclosure Statement is being filed concurrent with the filing of a continuation-in-part, continuation, or divisional patent application; therefore, no fee is required.

☐ c. This Information Disclosure Statement is being filed within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required.
(This section is not to be used with RCE's.)

☐ d. This Information Disclosure Statement is being filed within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.

☐ e. This Information Disclosure Statement is being filed concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.

☒ f. This Information Disclosure Statement is being filed before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account for the fee as required by 37 C.F.R. § 1.17(p).

☐ g. This Information Disclosure Statement is being filed before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

☐ No statement; therefore, a fee as required by 37 C.F.R. § 1.17(p) is attached.

or

☐ See the statement below. No fee is required.

V. STATEMENT UNDER 37 C.F.R. § 1.97(e)

(check only one box)

The undersigned hereby states that:

☐ a. **Each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than 30 days prior to the filing of this IDS; or**

☐ b. Each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

☐ c. No item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.

☐ d. Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VI. PAYMENT OF FEES (check one box)

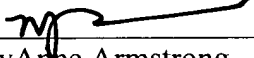
- ☐ The required fee is listed on the attached Fee Transmittal.
- ☒ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: January 30, 2007

Respectfully submitted,

By 
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Attachment(s):

- ☒ PTO-SB08
- ☒ Documents
- ☒ Foreign Search Report and International Search Report
- ☐ Fee
- ☐ Other:



PTO/SB/08A/B (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known		
			Application Number	10/590,734-Conf. #1220	
			Filing Date	August 25, 2006	
			First Named Inventor	Jérôme BERNARD	
			Art Unit	1644	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	3	Attorney Docket Number	2121-0191PUS1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA*	US-6,451,308-B1	09-17-2002	Strom et al.	
	AB*	US-6,177,079-B1	01-23-2001	Grabstein et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	Bernard et al., The Journal of Biological Chemistry, Vol. 279, No. 23, pp.24313-24322 (Issue of June 4, 2004)	
	CB	Fehniger et al., Blood, Vol. 97, No. 1, pp.14-32 (January 2001)	
	CC	Pettit et al., The Journal of Biological Chemistry, Vol. 272, No. 4, pp.2312-2318 (Issue of January 24, 1997)	
	CD	Grabstein et al., Science, Vol. 264, pp.965-968 (May 13, 1994)	
	CE	Burton et al., Proc. Natl. Acad. Sci. USA, Vol. 91, pp.4935-4939 (May 1994)	
	CF	Sprang et al., Current Opinion in Structural Biology, Vol. 3, pp.815-827 (1993)	
	CG	Carson et al., J. Exp. Med., Vol. 180, pp.1395-1403 (October 1994)	
	CH	Armitage et al., The Journal of Immunology, Vol. 154, pp.483-490 (1995)	
	CI	Wilkinson et al., J. Exp. Med., Vol. 181, pp.1255-1259 (March 1995)	
	CJ	Giri et al., The EMBO Journal, Vol. 13, No. 12, pp.2822-2830 (1994)	
	CK	Anderson et al., The Journal of Biological Chemistry, Vol. 270, No. 50, pp.29862-29869 (Issue of December 15, 1995)	
	CL	Norman et al., J. Mol. Biol., Vol. 219, pp.717-725 (1991)	
	CM	Minami et al., Annu. Rev. Immunol., Vol. 11, pp.245-267 (1993)	
	CN	Giri et al., Journal of Leukocyte Biology, Vol. 57, pp.763-766 (May 1995)	
	CO	Lehours et al., Eur. Cytokine Netw., Vol. 11, No. 2, pp.207-215 (June 2000)	
	CP	Johnston et al., Proc. Natl. Acad. Sci. USA, Vol. 92, pp.8705-8709 (September 1995)	
	CQ	Miyazaki et al., Cell, Vol. 81, pp.223-231 (April 21, 1995)	
	CR	Bulanova et al., The Journal of Immunology, Vol. 167, pp.6292-6302 (2001)	
	CS	Pereno et al., Oncogene, Vol. 19, pp.5153-5162 (2000)	
	CT	Bulfone-Paus et al., The FASEB Journal, Vol. 13, pp.1575-1585 (September 1999)	
	CU	Stevens et al., Am. J. Physiol., Vol. 272, pp.G1201-G1208 (1997)	

Examiner Signature		Date Considered	
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Birch, Stewart, Kolasch & Birch, LLP

MAA/bsh

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Complete if Known		
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			Filing Date	August 25, 2006	
			First Named Inventor	Jérôme BERNARD	
			Art Unit	1644	
			Examiner Name	Not Yet Assigned	
Sheet	2	of	3	Attorney Docket Number	2121-0191PUS1

CV	Kennedy et al., J. Exp. Med., Vol. 191, No. 5, pp.771-780 (March 6, 2000)	
CW	Lodolce et al., J. Exp. Med., Vol. 194, No. 8, pp.1187-1193 (October 15, 2001)	
CX	Li et al., Nature Medicine, Vol. 7, No. 1, pp.114-118 (January 2001)	
CY	Fehniger et al., Cytokine & Growth Factor Reviews, Vol. 13, pp.169-183 (2002)	
CZ	Collins et al., Proc. Natl. Acad. Sci. USA., Vol. 85, pp.7709-7713 (October 1988)	
CA1	Sauve et al., Proc. Natl. Acad. Sci. USA, Vol. 88, pp.4636-4640 (June 1991)	
CB1	Shanafelt et al., Nature Biotechnology, Vol. 18, pp.1197-1202 (November 2000)	
CC1	Zurawski et al., The EMBO Journal, Vol. 12, No. 13, pp.5113-5119 (1993)	
CD1	Farner et al., Cytokine, Vol. 9, No. 5, pp.316-327 (May 1997)	
CE1	Weiss et al., The Journal of Immunology, Vol. 133, No. 1, pp.123-128 (July 1984)	
CF1	Matrisian et al., Proc. Natl. Acad. Sci. USA, Vol. 83, pp.9413-9417 (December 1986)	
CG1	Blanc et al., Journal of Immunological Methods, Vol. 241, pp.43-59 (2000)	
CH1	Sloutstra et al., Molecular Diversity, Vol. 1, pp.87-96 (1995)	
CI1	Tejedor et al., Analytical Biochemistry, Vol. 127, pp.143-149 (1982)	
CJ1	Greene et al., Journal of Experimental Medicine, Vol. 162, pp.363-368 (July 1985)	
CK1	Chang et al., The Journal of Biological Chemistry, Vol. 271, No. 23, pp.13349-13355 (Issue of June 7, 1996)	
CL1	Black, Science, Vol. 245, pp.486-493 (August 4, 1989)	
CM1	Bamborough et al., Structure, Vol. 2, pp.839-851 (September 15, 1994)	
CN1	Chae D-W et al., "Mutant IL-15 protein exerting antagonistic effects on IL-15 triggered cell proliferation" (September 1996) (Abstract A 2029)	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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